

**A CONFIRMING RESOLUTION designating an  
"Economic Revitalization Area" under I.C. 6-1.1-  
12.1 for property commonly known as 3601  
Maumee Avenue, Fort Wayne, Indiana 46803  
(Omnisource Corporation)**

**WHEREAS**, Common Council has previously designated and declared by Declaratory Resolution the following described property as an "Economic Revitalization Area" under Section 153.02 of the Municipal Code of the City of Fort Wayne, Indiana, of 1993, as amended and I.C. 6-1.1-12.1, to wit:

**Attached hereto as "Exhibit A" as if a part herein; and**

**WHEREAS**, said project will retain 30 full-time, permanent jobs for a current annual payroll of \$610,000, with the average current annual job salary being \$20,333; and

**WHEREAS**, the total estimated amount of solid waste to be converted is 27,417,600 pounds; and

**WHEREAS**, the total estimated project cost is \$1,350,000; and

**WHEREAS**, recommendations have been received from the Committee on Finance and the Department of Economic Development concerning said Resolution; and

**WHEREAS**, notice of the adoption and substance of said Resolution has been published in accordance with I.C. 6-1.1-12.1-2.5 and I.C. 5-3-1 and a public hearing has been conducted on said Resolution; and

**WHEREAS**, if said Resolution involves an area that has already been designated an allocation area under I.C. 36-7-14-39, The Fort Wayne Redevelopment Commission has adopted a Resolution approving the designation.

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA:**

**SECTION 1.** That, the Resolution previously designating the above described property as an "Economic Revitalization Area" is confirmed in all respects.

**SECTION 2.** That, the hereinabove described property is hereby declared an "Economic Revitalization Area" pursuant to I.C. 6-1.1-12.1, said designation to begin on the effective date of this Resolution and shall terminate on December 31, 2005.

**SECTION 3.** That, said designation of the hereinabove described property as an "Economic Revitalization Area" shall apply to a deduction of the assessed value of personal property for new manufacturing equipment.

**SECTION 4.** That, the estimate of the number of individuals that will be employed or whose employment will be retained and the estimate of the annual salaries of those



1 individuals and the estimate of the value of the new manufacturing equipment, all contained  
2 in Petitioner's Statement of Benefits are reasonable and are benefits that can be reasonably  
3 expected to result from the proposed described installation of the new manufacturing  
4 equipment.

5 **SECTION 5.** The current year approximate tax rates for taxing units within the  
6 City would be:

- 7 (a) If the proposed new manufacturing equipment is not installed, the approximate  
8 current year tax rates for this site would be \$9.4797/\$100.  
9 (b) If the proposed new manufacturing equipment is installed and no deduction is  
10 granted, the approximate current year tax rate for the site would be  
11 \$9.4797/\$100 (the change would be negligible).  
12 (c) If the proposed new manufacturing equipment is installed, and a deduction  
13 percentage of eighty percent (80%) is assumed, the approximate current year  
14 tax rate for the site would be \$9.4797/\$100 (the change would be negligible).

15 **SECTION 6.** Pursuant to I.C. 6-1.1-12.1, it is hereby determined that the deduction  
16 from the assessed value of the new manufacturing equipment shall be for a period of five  
17 years.

18 **SECTION 7.** The benefits described in the Petitioner's Statement of Benefits can be  
19 reasonably expected to result from the project and are sufficient to justify the applicable  
20 deductions.

21 **SECTION 8.** For new manufacturing equipment, a deduction application must  
22 contain a performance report showing the extent to which there has been compliance with  
23 the Statement of Benefits form approved by the Fort Wayne Common Council at the time of  
24 filing. This report must be submitted to the Allen County Auditor's Office, and the City of Fort  
25 Wayne's Department of Economic Development and must be included with the deduction  
26 application. For subsequent years, the performance report must be updated and submitted  
27 along with the deduction application at the time of filing.

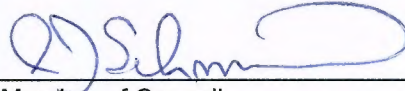
28 **SECTION 9.** The performance report must contain the following information

- 29 (a) The cost and description of real property improvements and/or new  
30 manufacturing equipment acquired.  
31 (b) The number of employees hired through the end of the preceding calendar year  
32 as a result of the deduction.  
33 (c) The total salaries of the employees hired through the end of the preceding  
34 calendar year as a result of the deduction.  
35 (d) The total number of employees employed at the facility receiving the deduction.  
36 (e) The total assessed value of the real and/or personal property deductions.  
37 (f) The tax savings resulting from the real and/or personal property being abated.

38 **SECTION 10.** That, the taxpayer is non-delinquent on any and all property tax due  
39 to jurisdictions within Allen County, Indiana.

40 **SECTION 11.** That, pursuant to I.C. 6-1.1-12.1-12 et al, any property owner that  
41 has received a deduction under section 3 or 4.5 of said chapter may be required to repay the  
42 deduction amount as determined by the county auditor in accordance with section 12 of said  
43 chapter if the property owner ceases operations at the facility for which the deduction was  
44 granted and if the Common Council finds that the property owner obtained the deduction by  
45 intentionally providing false information concerning the property owner's plans to continue  
46 operation at the facility.

**SECTION 12.** That, this Resolution shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.



Member of Council

APPROVED AS TO FORM AND LEGALITY



J. Timothy McCaulay, City Attorney



Maumee River

The map below combines Sections 5 and 8 in Adams Township. Due to the incongruencies of scales, it appears that parcels in Sec. 5, those above --- line, are 1"=33' whereas those below that line, in Sec. 8, are scaled at 1"=240'.

2-5-87 JGI

CITY SEWAGE

ABOVE --- Line: Sec 5  
T 30 N R 13 E,

SEC. 8

T 30 NR 13

5.30.13

[illegible]

Below this, Line

$$4.\overline{01}$$

DEW

8900-0000-59

6/10.1	FLVAD
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52

si

5

$$\frac{56}{13}$$

9. 2

EXHIBIT A-1

Read the first time in full and on motion by Belmuth,  
and duly adopted, read the second time by title and referred to the  
Committee on Finance (and the City Plan Commission  
for recommendation) and Public Hearing to be held after due legal notice, at  
the Common Council Council Conference Room 128, City-County Building, Fort  
Wayne,, Indiana, on \_\_\_\_\_, the \_\_\_\_\_ day of  
\_\_\_\_\_, 19\_\_\_\_, at \_\_\_\_\_ o'clock

M., E.S.T.

DATED:

8-26-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Belmuth,  
and duly adopted, placed on its passage. PASSED  
by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	<u>9</u>			
BENDER	<u>✓</u>			
CRAWFORD	<u>✓</u>			
EDMONDS	<u>✓</u>			
HALL	<u>✓</u>			
HAYHURST	<u>✓</u>			
HENRY	<u>✓</u>			
LUNSEY	<u>✓</u>			
RAVINE	<u>✓</u>			
SCHMIDT	<u>✓</u>			

DATED:

9-9-97

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,  
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)  
(SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. 9-63-97  
on the 9th day of September, 1997

ATTEST:

(SEAL)

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Paul Helmke  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on  
the 10th day of September, 1997,  
at the hour of 11:30 o'clock A. M., E.S.T.

Sandra E. Kennedy  
SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this 10th day of September,  
1997, at the hour of 7:00 o'clock P. M., E.S.T.

Paul Helmke  
PAUL HELMKE, MAYOR



Admn. Appr. \_\_\_\_\_

DIGEST SHEET

**TITLE OF ORDINANCE: Confirming Resolution**

**DEPARTMENT REQUESTING ORDINANCE: Department of Economic Development**

**SYNOPSIS OF ORDINANCE: This is to confirm the designation of an Economic Revitalization Area for Omnisource Corporation for personal property improvements in the amount of \$1,350,000. In order to expand, Omnisource Corporation will purchase a manufacturing machine.**

**EFFECT OF PASSAGE: The effect of passage is the retention of 30 full-time jobs and the conversion of an estimated 27,417,600 pounds of solid waste.**

**EFFECT OF NON-PASSAGE: The effect of non-passage is the potential loss of 30 full-time jobs and the potential inability to convert an estimated 27,417,600 pounds of solid waste.**

**MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS): No expenditures of public funds required.**

**ASSIGNED TO COMMITTEE (PRESIDENT): John Crawford**

BILL NO. R-97-08-32

REPORT OF THE COMMITTEE ON FINANCE

DONALD J. SCHMIDT - JOHN N. CRAWFORD - CO-CHAIR  
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON FINANCE TO WHOM WAS  
REFERRED AN (ORDINANCE) (RESOLUTION) a confirming resolution  
designating an "Economic REvitalization Area" under I.C. 6-1-1.12.1  
for property commonly known as 3601 Maumee Avenue, Fort Wayne,  
Indiana 46803 (Omnisource Corporation)

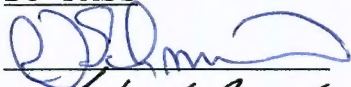
HAVE HAD SAID (ORDINANCE) (RESOLUTION) UNDER CONSIDERATION  
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID  
(ORDINANCE) (RESOLUTION)

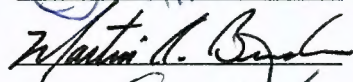
DO PASS

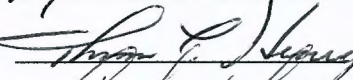
DO NOT PASS

ABSTAIN

NO REC

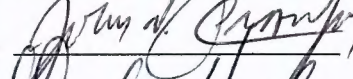


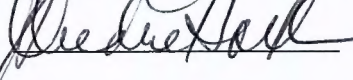
















DATED: 9-9-97

Sandra E. Kennedy  
City Clerk



OFFICE OF **HOFER AND DAVIS, INC.**

CIVIL ENGINEERS & LAND SURVEYORS  
FORT WAYNE, INDIANA

A. K. HOFER P.E. No. 72  
(1968) L.S. No. 10504

CARL A. HOFER P.E. No. 7122  
L.S. No. 10031

WILLIAM S. DAVIS L.S. No. S-0053  
L.S. No. 18114 Michigan

This document is the record of a resurvey of land and real estate situated in the City of Fort Wayne, Allen County, Indiana, made in accordance with the plat and deed record thereof on file in the Office of Recorder of said County and State. The land below described exists in full dimension as herein noted in feet, and is free from encroachments by adjoining landowners, and furthermore, contains entirely within its boundaries the structures of the buildings on it situated; all as below indicated in detail. Any exceptions or discrepancies are below noted.

DESCRIPTION OF PROPERTY ~~XXXX~~ Part of the Northwest Quarter Section 8 and the Southwest

Quarter of Section 5, Township 30 North, Range 13 East, in Allen County, Indiana, described as follows to-wit:

Commencing on the North 20 foot right-of-way line of the public highway known as the Maumee Turnpike at a distance of 128.35 feet (110.91 feet Deed Record 614, pages 482-3) from the East line of the Northwest Quarter of said Section 8; thence Northerly by a deflection right of 82 degrees 39 minutes from the Northwesterly direction of said right-of-way line, a distance of 96.63 feet; thence Northwesterly by a deflection left of 68 degrees 43 minutes, a distance of 209.87 feet; thence Southerly by a deflection left of 103 degrees 56 minutes, a distance of 11.7 feet to a point situated 125 feet normally distant Southwesterly from the Northeasterly right-of-way line of the former New York, Chicago, and St. Louis Railway, now the Norfolk and Western Railroad; thence Northwesterly on a line parallel to the aforesaid right-of-way line by a deflection right of 104 degrees 51 minutes, a distance of 1050.2 feet to the Northeast corner of 5.476 Acres described in Deed Record 597, pages 432-3; thence continuing Northwesterly on a line 125 feet normally distant Southwesterly of Northeasterly Railroad right-of-way line, a distance of 1033 feet to a post found at the West corner of said 5.476 Acres; thence Southeasterly along the Southwesterly right-of-way line of the former Wabash and Erie Canal, a distance of 599.22 feet to the Section line between Section 5 and Section 8; thence Southeasterly by a deflection left of 1 degree 13 minutes along the Southwesterly right-of-way line of said Canal, a distance of 51.5 feet, more or less, to a point situated 22 feet, more or less, radially distant Northeast on the Vacated former Maumee Turnpike of the North corner of 0.28 Acre Tract described in Document No. 70-8040; thence Southwesterly, a distance of 22 feet, more or less, to the said North corner thereof; thence continuing Southwesterly on the Northwest line of said 0.28 Acres, a distance of 43.1 feet (41.97 feet Deed) to a pipe found; thence Southeasterly by a deflection left of 80 degrees 44 minutes (80 degrees 15 minutes Deed), a distance of 28.18 feet; thence Southwesterly by a deflection right of 82 degrees 24 minutes, a distance of 41.5 feet to a pin found on the Northeasterly 40 foot right-of-way line of former U. S. Highway No. 30 Maumee Avenue Extended; thence Southeasterly on the line aforesaid by a deflection left of 90 degrees 29 minutes, a distance of 644.5 feet to a pin set at the intersection of said right-of-way line by

IN WITNESS WHEREOF, I place my hand and seal, this 19<sup>th</sup> day of JUNE, 1987

Wm S. Davis



the North 20 foot right-of-way line of the Maumee Turnpike; thence Southeasterly along the said right-of-way line by a deflection left of 15 degrees 03.5 minutes, a distance of 88.30 feet; thence Southeasterly along the said Northerly 20 foot right-of-way line, a distance of 996.45 feet to the point of beginning.  
Containing 11.969 Acres, more or less.

The undersigned further CERTIFIES that:

The foregoing metes and bounds descriptions includes all the land found in

DR 597      pages 432-3

DR 614      pages 479-81      (overlaps DR 597, pages 432-3)

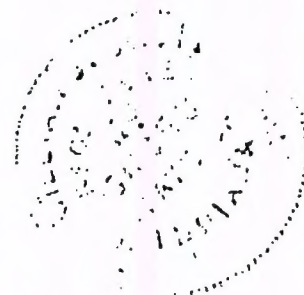
DR 614      pages 482-3

Doc. No. 70-8040

as well as the Northeasterly half of Vacated Maumee Turnpike lying Northeasterly of Doc. No. 70-8040 Vacated by COMMISSIONER'S RECORD 26, page 71, dated April 8, 1949.

IN WITNESS WHEREOF, I place my hand and seal this 19<sup>th</sup> day of June 1987.

*Wm S. Dawn*





## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1221 • FAX 219-427-1371

SANDRA E. KENNEDY, CITY CLERK

August 27, 1997

Ms. Connie Lambert  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the date of August 30, 1997, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, IN

Legal Public Hearings  
Bill Nos. R-97-08-29 & R-97-08-30  
Bill Nos. R-97-08-31 & R-97-08-32  
Bill Nos. R-97-08-33 & R-97-08-34

Economic Revitalization Areas

Please send us 3 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy  
City Clerk

SEK/ne  
ENCL: 3



NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL

(RESOLUTIONS NO. R-97-08-31 AND R-97-08-32 )

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE  
CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 8/26/97,  
DATE  
DESIGNATING PROPERTY AT 3601 Maumee Avenue, Fort Wayne, Indiana,  
(Omnisource Corporation)

AN ECONOMIC REVITALIZATION AREA. A DESCRIPTION OF THE AFFECTED  
AREA CAN BE INSPECTED IN THE COUNTY ASSESSOR'S OFFICE.

COMMON COUNCIL WILL CONDUCT A PUBLIC HEARING ON WHETHER  
THE ABOVE DESCRIBED RESOLUTION SHOULD BE CONFIRMED, MODIFIED AND  
CONFIRMED OR RESCINDED ON Tuesday, September 9, 1997, at 5:30 P.M.,

DATE, TIME & PLACE

Common Council Conference Room 128, 1st Floor, City-County Building,  
Fort Wayne, IN

IF CONFIRMED, SAID DESIGNATING SHALL CONTINUE FOR ONE (1)  
YEAR AFTER CONFIRMATION.

ALL INTEREST PERSONS ARE INVITED TO ATTEND AND BE HEARD  
AT THE PUBLIC HEARING.

"REASONABLE ACCOMMODATIONS" FOR PERSONS WITH A KNOWN  
DISABLING CONDITION WILL BE CONSIDERED IN ACCORDANCE WITH STATE AND  
FEDERAL LAW. ANY PERSON NEEDING A "REASONABLE ACCOMMODATION"  
SHOULD NOTIFY PUBLIC INFORMATION OFFICE (219)427-1120, TTY  
(219)427-1200, AT LEAST SEVENTY-TWO (72) HOURS PRIOR TO THE  
MEETING.

SANDRA E. KENNEDY  
CITY CLERK

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)  
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

42 lines, 1 columns wide equals 42 equivalent lines  
at .364 cents per line \$ 15.29

Additional charge for notices containing rule or tabular work  
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two) 1.00

TOTAL AMOUNT OF CLAIM \$ 16.29

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 1

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: AUG 30, 1997

Title: Julie L Smith Clerk

PUBLISHER'S AFFIDAVIT

NOTICE OF PUBLIC HEARING  
FORT WAYNE  
COMMON COUNCIL  
(RESOLUTIONS NO. R-97-08-31 AND R-97-08-32)

NOTICE IS HEREBY GIVEN THAT THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA, APPROVED A RESOLUTION ON 8/26/97, DESIGNATING PROPERTY AT 3601 MAUMEE AVENUE, FORT WAYNE, INDIANA, (Omnisource Corporation).

An Economic Revitalization Area. A description of the affected area can be inspected in the county Assessor's Office.

Common Council will conduct a public hearing on whether the above described resolution should be confirmed, modified and confirmed or rescinded on Tuesday, September 9, 1997 at 5:30 p.m., Common Council Conference Room 128, 1st Floor, City-County Building.

If confirmed, said designating shall continue for one (1) year after confirmation.

All interest persons are invited to attend and be heard at the public hearing.

"Reasonable Accommodations" for persons with a known disabling condition will be considered in accordance with state and federal law. Any person needing a "Reasonable Accommodation" should notify public information office (219) 1120, TTY (219) 427-1200. At least seventy-two (72) hours prior to the meeting.

SANDRA E. KENNEDY  
CITY CLERK  
#503510

8-30

State of Indiana )  
) ss:  
Allen County )

Personally appeared before me, a notary public in and for said county and state, the undersigned JULIE L SMITH who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 1 time , the dates of publication being as follows:  
8-30-97

Julie L Smith

Subscribed and sworn to before me this 30th day of AUG, 19 97.

Mary L Schneider  
Notary Public

MARY L SCHNEIDER  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14, 2001

My commission expires:



PUBLISHER'S CLAIM

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PUBLISHER'S AFFIDAVIT

State of Indiana )  
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SANDRA E. KENNEDY  
CITY CLERK  
#503510

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8-30-97  
Julie L Smith  
ubscribed and sworn to before me this 30th day of AUG, 19 97.  
Mary L Schneider  
Notary Public  
MARY L SCHNEIDER  
NOTARY PUBLIC STATE OF INDIANA  
ALLEN COUNTY  
MY COMMISSION EXP JUNE 14,2001

My commission expires: